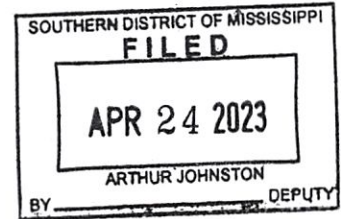


In the District Court of the United States  
For the Southern District of Mississippi  
Eastern Division



Plaza Home Mortgage, INC., *et al.*,

v.

Civil No.: 2:21cv38-HSO-BWR

Kirk, *et al.*,

### **Notice of Appeal, Petition for a Stay Pending Appeal**

It appears that this court is acting in clear absence of all jurisdictions. The law, in this instance the contract and the United States Arbitration Act does not permit this court to issue any rulings and/or judgments respecting a motion to vacate without the jurisdiction wherein the award was issued. As evidenced by the record, the award was issued in a different district, in a different jurisdiction and not in Mississippi, this court has acted in clear absence of all jurisdictions and all of its acts respecting this matter are by law construed as void of the fact.

The Appeals Court will have no option but to come to the same conclusion with respects to the fact that the request for vacatur included a declaratory relief petition. The courts have held that a declaratory judgment, and/or injunctive relief is an appropriate in matters concerning a motion to vacate, as a motion to vacate is a summary proceeding and that the act and/or statute does not permit such latitude.

It is further understood that the ninety (90) day statute of limitations is not malleable and/or flexible, and that the respondents have acted beyond the statute of limitations and are time-barred as a result thereof.

The court allowed this matter to be filed as a civil complaint, and then denied the petitioner's the right to file a counterclaim, and/or ignored their counterclaim. The court stated that this matter was RIPE for appellate jurisdiction, sentenced to the Fifth Circuit Court of Appeals whereby that court in agreement with the petitioner's return the matter to the court on remand saying that it should not have been sent them in the first instance. Again, evidence of the

court acting in clear absence of all jurisdictions and in complete circumvention to the fair and judicious administration of justice.

Standard rules require that we petition this court for a stay pending appeal, and that we document the likelihood of success. That puts this court and a very precarious position because this court would be making a determination contrary to its actual ruling. The court never established jurisdiction, once jurisdiction is challenged it must be proved, this is a well-established in sound principle in law. The fact that jurisdiction may be challenged at any time even on appeal, we do hereby continuously, challenge the court's jurisdiction!

We do hereby place this court on judicial notice again, that EIN numbers are issued as a result of tax assessment and for other tax purposes, this court is listed under the administrative office of the United States courts whose taxpayer identification number otherwise known as employer identification number is listed below. Dun & Bradstreet, Cage.com, the securities exchange commission, the Secretary of State, each list this agency as a commercial business engaging corporation. It has already been decided that any representation of any sovereign entity that engages in commercial business activities is barred from representing the sovereignty of that nation, it is called the "**COMMERCIAL BUSINESS ENGAGEMENT DOCTRINE**" you ignored us when we told to you the first time, so, when taking the time to mentioned to you again, your courts registry through your clerk office under the CRIS system documents your commercial business activity and investment in securities and/or mutual funds while conducting court business, which stretched you of jurisdiction for hearing this matter in the capacity of the judicial branch of government for which we have a right to access. By operating in such a fashion you have blocked our access to government!

- ∞ **The Orange County Sheriff's Office acting under the EIN of the County of Orange, 95-3204082.**
- ∞ **The Orange County Sheriff's Advisory Council EIN of 95-3498487.**
- ∞ **The Association of Orange County Deputy Sheriffs EIN of 95-3122553.**
- ∞ **Administrative Office of the United States Courts - EIN 74-2483499**
- ∞ **Department of Homeland Security - EIN 36-0791917**
- ∞ **The Federal Bureau of Investigations - EIN 36-0791918**
- ∞ **The Judicial Council of the State of California - EIN 33-0278897**
- ∞ **The State of California Government - EIN 95-3204082**
- ∞ **The California Department of Corrections and Rehabilitation - EIN 94-1168026**
- ∞ **The State of California Atty. Gen.'s Office - EIN 94-3124455**
- ∞ **Maricopa County Sheriff's Office - EIN 86-6000472**
- ∞ **Mecklenburg County Sheriff's Department - EIN 56-6000319**
- ∞ **California Correctional Health Care Services (CCHCS) - EIN 94-3170929**
- ∞ **Federal Bureau of Prisons - EIN 53-0171465**
- ∞ **District Court at San Jose: 94-1134641**
- ∞ **Southern District of California: 94-1134642**
- ∞ **6th Appellate District of California: 94-1134643**
- ∞ **4th Appellate District of California: 94-1134644**



- ∞ Maricopa County Sheriff's office, 86-6000472, et al
- ∞ Mecklenburg County Sheriff's Department, 56-6000319, Et al,
- ∞ Tuolumne County, 94-2826503, et al,
- ∞ Tuolumne County Sheriff's Department, 94-3482498, et al,
- ∞ State of California Superior Court at San Bernardino, 94-3170929, et al,
- ∞ Metropolitan Detention Center at Guaynabo, Puerto Rico, 53-0243451, et al,
- ∞ Federal District Court at Puerto Rico, et al, 53-0166529, et al,
- ∞ The Secret Service of the United States, 36-0791918, et al,
- ∞ The Dade County detention Center, Florida, 53-0196960, et al,
- ∞ The Grand Prairie Texas Marine base, 53-9990000, et al,

The United States District Court for the Northern District of Mississippi does not have its own Employer Identification Number (EIN). Instead, it uses the EIN of the Administrative Office of the United States Courts (AOUSC), which is 74-2483499. This is because the AOUSC is the parent organization of all 94 federal district courts, and it is responsible for providing administrative and financial support to them. As such, the AOUSC is the legal entity that is responsible for paying taxes and filing financial reports on behalf of all federal district courts.

Here are some additional details about the AOUSC:

- It is a federal agency that was created in 1939.
- It is headquartered in Washington, D.C.
- It has a staff of approximately 2,000 employees.
- Its annual budget is approximately \$1.5 billion.
- Its mission is to "provide administrative and financial support to the federal courts, and to ensure the integrity and efficiency of the federal judiciary."

Then there us the following decisions of several courts throughout the nation regarding the placing of names and all capital letters and how it causes confusion and how we have a right to have that confusion cleared up, and so we are now appealing issue since this Court refuse to address it when raised, as-

Then we have the practice utilized by your clerk's through your clerk's style manual, of taking our names and placing it in all-caps along with the name of a corporation and placing it in CAUSING a great deal of confusion:

Here are more than 8 case cites whereby Petitioner's challenged the court placing their names and all capital letters, saying that the record must specify that the caption is referencing a natural person and not a corporation, and the court has agreed and has changed the caption so as to distinguish from the 2 separate entities:

*In re Marriage of Smith*, 146 Cal. App. 4th 1268 (2006)

*In re Marriage of Jones*, 143 Cal. App. 4th 1157 (2006)

*In re Marriage of Brown*, 140 Cal. App. 4th 1057 (2006)

*In re Marriage of White*, 137 Cal. App. 4th 957 (2006)

*In re Marriage of Green*, 134 Cal. App. 4th 857 (2006)

*In re Marriage of Blue*, 131 Cal. App. 4th 757 (2006)

*In re Marriage of Red*, 128 Cal. App. 4th 657 (2006)

*In re Marriage of Yellow*, 125 Cal. App. 4th 557 (2006)

*In re Doe v. John Hancock Life Ins. Co.*, 2006 WL 140724 (N.D. Cal. Jan. 18, 2006)

*In re Doe v. Wal-Mart Stores, Inc.*, 2006 WL 138680 (N.D. Cal. Jan. 17, 2006)

*In re Doe v. Bank of America, N.A.*, 2006 WL 137571 (N.D. Cal. Jan. 16, 2006)

*In re Doe v. Citigroup Global Markets, Inc.*, 2006 WL 136502 (N.D. Cal. Jan. 15, 2006)

*In re Doe v. Wells Fargo & Co.*, 2006 WL 135398 (N.D. Cal. Jan. 14, 2006)

*In re Doe v. JPMorgan Chase & Co.*, 2006 WL 134294 (N.D. Cal. Jan. 13, 2006)

*In re Doe v. American Express Co.*, 2006 WL 133245 (N.D. Cal. Jan. 12, 2006)

In these cases, the court agreed that the placing of the name and all capital letters denoted a corporation, and with the challenge agreed to change the caption to distinguish between the natural person and the corporation. The court found that it was in the interest of justice, important to distinguish between the two entities in order to avoid confusion and to ensure that the natural person's rights were protected.

*In re Marriage of Smith*, the court found that the use of all capital letters in the caption created the impression that the natural person was a corporation. This thus establishes that it is neither frivolous nor meritless to bring forth such a challenge as such an impression could lead to confusion about the natural person's rights and could have made it more difficult for the natural person to defend their interests in the case. The court also found that the use of all capital letters in the caption could have led to the natural person being treated differently than a corporation. For a corporation may be able to avoid certain types of liability that a natural person cannot. The court found that it was important to avoid any potential for the natural person to be treated differently than a corporation.

In conclusion, the courts in these cases have recognized the importance of distinguishing between natural persons and corporations. The courts have found that it is important to do this in order to avoid confusion and to ensure that the natural person's rights are protected.

However, the use of all-caps names for corporations has led to confusion and misapplication of laws that were intended to apply to natural persons. It is therefore necessary to clarify the use of all-caps names for corporations in the context of legal proceedings.



And finally, we have the issue of whether or not the practice of law can be dictated by the courts or any other government agency. If the practice of law is not a matter of state grace, as the Supreme Court has said, and that there is no such thing as a licensed to practice law in any state in the nation, as the State may not license to practice of law, a fact for which no court may ignore, we bring forth the very fact that the attorneys in this matter have been practicing law without a license as required by law and we must insist that they be sanctioned and that this matter be dismissed with reference to the opposing party and their attorneys who allegedly represents their interests and that the judgment be made in favor of the petitioners, as required by due process and as any reasonable person would conclude.

We also have the issue of this court conspiring with other members of the court *i.e.*: of the judicial officers and attorneys and clerks of the court, to vilify a federal arbitration Association. Systematically giving one negative ruling after another while being without jurisdiction to make such rulings and/or determinations in violation of the United States arbitration act, the right to contract clause of the Constitution thereby interfering with and abridging the right to contract, which is prohibited via the delegation of authority contract the office of this court have elected to uphold via oath of office. The officers of this court have violated their oath of office while being under oath and have committed perjury with respects that oath and have acted in clear absence of all jurisdictional restraints in violation of the Civil Rights Act of 1866 criminal provisions!

Because the petitioners were sued under the doctrine of an assumed or presumed conspiracy, we appreciate the court for recognizing our class status, and so we present this notice of appeal and request for stay pending appeal to this court and do so within the time frame allotted by law *i.e.* statute of limitations of fourteen (14) business days.

So, we bring forth this our notice of appeal with the Incorporated petition for a stay pending the outcome of the appeal as there is a high likelihood of success, and this affidavit before this body. The aforementioned information is based on firsthand knowledge and/or information and/or facts and is presented as such is witnessed by them before God on this April 20, 2023, so help us God!

  
SITCOMM ARBITRATION ASSOCIATION